

1 TERRENCE M. JACKSON, ESQ.
Nevada Bar 00854
2 Law Office of Terrence M. Jackson
624 Ninth Street
3 Las Vegas, Nevada 89101
Off:(702)386-0001 / Fax:(702)386-0085

4 *Attorney for Defendant, Harold E. Call*

5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
8

9 UNITED STATES OF AMERICA,
10
Plaintiff,
11
v.
12 HAROLD E. CALL,
13
Defendant.
14

Case No.: 2:09-CR-00079-KJD-RJJ

STIPULATION TO VACATE
TRIAL DATE

(Second Request)

15
16 IT IS HEREBY STIPULATED by and between GREGORY A. BROWER, United States
17 Attorney, and ERIC JOHNSON, Assistant United States Attorney, counsel for the UNITED
18 STATES OF AMERICA, and Defendant, **HAROLD E. CALL**, by and through his counsel,
19 **TERRENCE M. JACKSON, ESQ.**, that the **Calendar Call date currently set for July 28, 2009,**
20 **at the hour of 9:00 a.m.,** and the **Trial date currently set for August 3, 2009, at the hour of 9:00**
21 **a.m.,** in Courtroom 6D, be vacated and set to a date and time to be set by the court, but not earlier
22 than (90) ninety days.

23 This Stipulation is entered into based on the following:

- 24 1. Defense counsel, Terrence M. Jackson, Esquire, has recently reviewed over 40 hours of audio
25 recordings, but still has many hundreds of hours left. I am requesting additional time for pretrial
26 preparation, investigation, and possibly filing of pretrial motions and such time is essential to be
27 adequately prepared for trial and may be helpful in re-instituting negotiations.
28 2. Counsel for the Defendant has spoken to the Defendant, and the Defendant has no

1 objection to the requested continuance.

2 3. Counsel has spoken to the Assistant United States attorney and he has no objection to this
3 continuance.

4 4. Additionally, denial of this request for continuance would result in a miscarriage of justice.

5 5. For all the above stated reasons, the ends of justice would be best served by a
6 continuance of the trial date.

7 6. The additional time requested by this stipulation is excludable in computing the time within
8 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
9 Code, § 3161(h)(1)(F) and Title 18, United States Code §3161(h)(8)(A), considering the factors
10 under Title 18, United States Code §§ 3161(h)(8)(B)(I) and 3161(h)(8)(B)(iv).

11 7. This is the second Request for a continuance in this case.

12
13 RESPECTFULLY SUBMITTED, this 9th day of July 2009.

14
15 By: /s/ Terrence M. Jackson

By: /s/ Eric Johnson

16 TERRENCE M. JACKSON, ESQ.
17 Nevada Bar No. 00854
18 624 Ninth Street
Las Vegas, Nevada 89101
(702) 386-0001/ (702) 386-0085

L. ERIC JOHNSON, ESQ.
Assistant United States Attorney
333 Las Vegas Blvd. So., Fifth Floor
Las Vegas, Nevada 89101
(702) 388-6336/ (702) 388-6418

19 *Attorney for Defendant, CALL*

Attorney for Plaintiff, United States of America

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Nevada Bar 00854
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624 Ninth Street
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10 UNITED STATES OF AMERICA,

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FINDINGS OF FACT,
CONCLUSION OF LAW
AND ORDER

15
16 **FINDING OF FACT**

17 Based upon the pending Stipulation of counsel, and good cause appearing therefore, the
18 Court finds that:

19 1. Defense counsel, Terrence M. Jackson, Esquire, has recently reviewed over 40
20 hours of audio recordings, but still has many hundreds of hours left. I am requesting additional
21 time for pretrial preparation, investigation, and possibly filing of pretrial motions and such time
22 is essential to be adequately prepared for trial and may be helpful in re-instituting negotiations.

23 2. Counsel for the Defendant has spoken to the defendant who is currently
24 out of custody, and has no objection to the requested continuance.

25 3. Counsel has spoken to the assistant United States Attorney and he has no
26 objection to this continuance.

27 4. All counsel and counsel for the United States agree to this continuance.
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